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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/070,831	04/30/1998	ASIT DAN	YO998137	4859

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EXAMINER

BROWN, RUEBEN M

ART UNIT	PAPER NUMBER
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2424

NOTIFICATION DATE	DELIVERY MODE
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03/22/2011

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

support@gibbiplaw.com

Office Action Summary	Application No.	Applicant(s)	
	09/070,831	DAN ET AL.	
	Examiner	Art Unit	
	REUBEN M. BROWN	2424	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 April 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 10 and 41-61 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 10 and 41-61 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

Response to Arguments

1. Applicant's amendments/arguments, see pages 2-6, filed 4/16/2009, with respect to the 101 rejection of the claims have been fully considered and are persuasive. The 101 rejection of claims 10, 41 & 49 has been withdrawn.
2. Applicant's arguments with respect to claims have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claim 10 rejected under 35 U.S.C. 102(e) as being anticipated by Stack, (U.S. Pat # 6,257,774).

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Considering claim 10, the claimed computer-implemented method for programmatic generation of continuous multimedia presentations on a computer station capable of receiving at least one presentation and a plurality of sensed events, comprising;

‘maintaining a library of rules on the computer’, is met by the skill rules 20 & program rules 18, see col. 6 & col. 7.

‘receiving by the computer, at least one previously generated presentation’, reads on the images in the object store 42, that can be processed by the image editor 32, see col. 10, lines 5-26.

‘selecting at least one event, wherein events control which rules in the library are applied to the presentation’,... ‘using the computer to test each rule in the library for each selected event to determine which rules will be applied’... ‘using the computer to apply each rule that positively responded to the presentation to modify the instant presentation’, is met by the discussion of Stack, that the various block operations on the images are implemented subject to the block operation rules from the knowledge base 34, see col. 9, lines 54-67 thru col 10, lines 1-67; co. 25, lines 18-65; col. 29, lines 34-67.

5. Claims 41-61 are rejected under 35 U.S.C. 102(e) as being anticipated by Bendinelli, (U.S. Pat # 6,792,618).

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Considering claim 41, the claimed computer implemented method of modifying previously generated presentations on a computer, comprising;

‘creating a set of rules based on user-input on the computer’, is met by the discussion in Bendinelli that teaches a viewer of TV program may select the type outcome he/she would like to have for a program, Abstract; col. 3, lines 30-45; col. 4, lines 21-31; col. 4, lines 45-67.

‘selecting a previously generated presentation to be modified’; is met by the program being displayed in Bendinelli.

‘after creating the rules, automatically modifying, without user intervention, the previously generated presentation using the computer, based on the rules to produce a modified presentation’,...‘outputting the modified presentation from the computer’, reads on the teaching in Bendinelli of providing alternate or substitute endings to programs, based on the type of desirable program characteristics selected by the user, see col. 5, lines 6-67.

Considering claims 42-48, Bendinelli teaches all subject matter, see Fig. 2-Fig. 3; col. 5, lines 1-67 thru col. 7, lines 1-25.

Considering claim 49, the claimed computer implemented method of modifying previously generated presentation, by automatically expanding the instant previously generated presentation, corresponds with subject matter mentioned in the rejection of claim 41, and is

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likewise treated. Bendinelli teaches that the invention may supply entire scenes, which reads on an expansion of the previously generated presentation, see col. 5, lines 55-65.

Considering claims 50-51, Bendinelli teaches that entirely new scenes may be applied to the video program, which meets the claims.

Considering claims 52-54 & 58-61, the subject matter is met by Bendinelli, col. 5, lines 7-31 & col. 5, lines 41-45.

Considering claim 55, the claimed computer implemented method of creating a composite presentation sequence from at least two previously generated presentations, by automatically combining the instant previously generated presentation, corresponds with subject matter mentioned in the rejection of claim 41, and is likewise treated. Bendinelli teaches that the invention may include, overwrite, and substitute, etc., presentations, which reads on the claimed creating a composite of the previously generated presentations; see col. 5, lines 55-65.

Considering claims 56-57, the subject matter reads on Bendinelli displaying the alternate scenes, according to the timing information.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- A) Abbot, Seidman Teaches indexing video segments so that they can be edited.
- B) Chadda, Gerba Editing video segments according to a set protocol.
- C) Cobbley, Rayner Indexing video segments.

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Any response to this action should be mailed to:

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or faxed to:

(571) 273-8300, (for formal communications intended for entry)

Or:

(571) 273-7290 (for informal or draft communications, please label
"PROPOSED" or "DRAFT")

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Reuben M. Brown whose telephone number is (571) 272-7290. The examiner can normally be reached on M-F (9:00-6:00), First Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher Kelley can be reached on (571) 272-7331. The fax phone numbers for the organization where this application or proceeding is assigned is (571) 273-8300 for regular communications and After Final communications.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Reuben M. Brown/
Patent Examiner, Art Unit 2424